

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESMOND WRIGHT) Case No. 01-005
)
-VS-)
)
UNITED STATES OF AMERICA)

MOTION TO SUPPLEMENT 28 U.S.C. 2255 PURSUANT TO R. 28(j)
AND OR R. 15

Comes Now, DESMOND WRIGHT, pro-se, in this above entitled action. Wright avers that this instant motion is an NOTICE OF SUPPLEMENTAL AUTHORITY, AND OR MOTION TO SUPPLEMENT HIS PENDING 2255 MOTION PURSUANT TO R.15 (pro-se motions are to be construed liberally).

On, Wright filed a second or successive 2255 motion in light of . On August 27, 2019 The Court of Appeals for the Third Circuit Granted Wright's application. His case is now in the District Court.

On, January 1, 2020 the United States District Court for the Eastern District of Pennsylvania contacted Wright via letter informing him of his rights regarding Rehaif. The letter was issued to defendants whose judgements of conviction are final and who are not represented by attorneys.

Wright avers that his case was remanded to the district court, (aforementioned), therefore he is in a peculiar position. In the letter from the Federal Community Defender Office, the Office offered guidance concerning A) Person who have not previously litigated a 2255 motion, and B) Persons who have previously litigated one or more 28 U.S.C. 2255 motions. Wright's circumstance does not fit in either caveat. -He has previously filed a 2255

-He has a 2255 motion pending in the district Court, but it is not his First 2255 motion.

-He does not have to file a second or successive 2255 motion due to the aforementioned.

Wright further avers that the government has not responded to his 2255, therefore he does not have to motion for leave to amend, he may simply amend the motion (See R. 15), also an 28(j) letter motion for supplemental authority per the Supreme Court's ruling in REHAIF would be applicable, hence the heading of this instant motion.

Wright avers that he did not have the requisite knowledge required for a conviction under 922(g).

Wright seeks this court to grant his motion to supplement/amend (in the alternative 28 j letter, notice of supplemental authority) his pending 2255 motion. In the event further proceedings are required to resolve this matter, Wright seeks this court to appoint him counsel pursuant to the Criminal Justice Act.

DATE : 5/18/2020



Mr. Desmond Wright # 54724-066
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